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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

Jenny Lisette Flores, *et al.*,

Case No. CV85-4544-DMG (AGR)

Plaintiffs,

NOTICE OF MOTION AND MOTION FOR
AWARD OF ATTORNEYS' FEES AND
COSTS

v.
William P. Barr, Attorney General, *et
al.*,

Hearing: May 17, 2019
Time: 9:30 a.m.
Room: 1st St. Courthouse
Courtroom 8C

Defendants.

1 *Counsel for Plaintiffs, continued*

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1 PLEASE TAKE NOTICE that on May 17, 2019, at 9:30 a.m. or as soon thereafter
2 as counsel may be heard, Plaintiffs will and do hereby move the Court for an order
3 awarding them attorneys' fees and costs pursuant to the Equal Access to Justice
4 Act, 28 U.S.C. § 2412(d), for fees and costs incurred in securing and monitoring
5 Defendants' compliance with the Court's order of July 30, 2018 (Dkt. #470).

6 Plaintiffs aver that (1) they are prevailing parties; (2) Defendants' position in
7 this litigation was not substantially justified; and (3) no special circumstances make
8 an award of fees unjust.

9 This motion is based upon the annexed memorandum of points and
10 authorities, Plaintiffs' itemized statement and other supporting exhibits filed
11 concurrently herewith, and upon all other matters of record.

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1 This motion is made following the conference of counsel pursuant to Local
2 Rule 7-3 which took place on April 11, 2019.¹

3 Dated: April 19, 2019.

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15 /s/ Carlos Holguín

16 Carlos Holguín

17 / / /

23 ¹ Plaintiffs are concurrently moving the Ninth Circuit for an award of EAJA fees
24 and costs.

25 Plaintiffs believe the instant fee request would be most efficiently resolved via
26 mediation under the supervision of the Ninth Circuit's Mediation Office. Should
27 mediation prove unavailable or unsuccessful, this Court's greater familiarity with
28 the issues herein would likely place it in a better position to decide a contested
EAJA motion. In the event, Plaintiffs will voluntarily withdraw their Ninth Circuit
fee application.